

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JERRY LEE WARNER

PLAINTIFF

VS.

CIVIL ACTION NO. 3:18CV190TSL-RHW

ANDY LEDBETTER, INDIVIDUALLY

DEFENDANT

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge Robert H. Walker entered on December 10, 2018, recommending that defendant's motion to dismiss be granted and plaintiff's complaint be dismissed. Plaintiff has filed an objection. Having reviewed the report and recommendation and plaintiff's objection, the court concludes that the objection is overruled and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Robert H. Walker entered on December 10, 2018, be, and the same is hereby, adopted as the finding of this court. Accordingly, it is further ordered that defendant's motion to dismiss is granted and plaintiff's complaint is dismissed for failure to state a claim upon which relief may be granted.

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 8th day of January, 2019.

/s/ Tom S. Lee _____
UNITED STATES DISTRICT JUDGE